

Waivers	First Name	Last Name	Claim Number
			W-19-0011
Amount	OGC Received Date	Assigned To	Assigned Date
\$452.40	07/17/2019	Mary O'Lone	07/17/2019
EPA Decision	EPA Decision Date	Amount Approved	Status
DENIED	04/06/2020	CLOSED	
Appeal	Comments		
No	4/6/20 Request denied.		

3/12/20 draft decision to Ken.

██████████ knew or should have known that his FEGLI premium deductions were not being taken and as a result he was being overpaid. The FEGLI election form he filled out shortly after starting working in 1987 was never processed. He knew or should have known his FEGLI was wrong because: (1) he did not receive a SF50 documenting the change as the FEGLI form instructions said he would; (2) the SF50 before and those issued after he filled out the change form showed no change in the coverage; and (3) the amount of FEGLI deductions from his pay did not increase after the effective date of his FEGLI change.

3/12/20 Dany Lavergne n WFC explained the 1987 spreadsheet starts with PP18 of 1987 which started May 24, 1987. The other columns are the successive PPs. The reason there is 18 and then 592 in the last few columns is that the Gen Adj kicked in so 18 cents was then added to the \$5.74 in those 2 previous pay periods and his FEGLI deduction increased to \$5.92.

3/11/2020 asked WFC for ELSs following up on emails from Nov. & Dec. where WFC said it was working on getting them.

3/11/20 asked IBC results of FEGLI audit it said would be done Nov. 2019.

3/11/20 RTP provided blank June 1984 FEGLI form.

3/5 & 3/6 asked both CSSC & RTP SSC for copy of complete FEGLI 2817 circa June 1984 so can see all instructions & information Swenson got.

2/27/20 received EPA side of story & Swenson's SF50s & FEGLI 2817.

2/26/20 sent CSSC 3rd request for EPA side of story & all Mr. Swenson's SF50s.

1/13/20 sent CSSC 2nd request for answers to 12/11/19 questions.

12/19/19 got all of 1987 payroll information from WFC.

12/11/19 asked HR SSCs for a written account of EPA's version of events by January 6, 2020 which includes:

- Confirmation it was an EPA administrative error;
- Explanation with a timeline that points to the relevant records and

describes:

o what the error was (Were we paying FEGLI all those years and to whom? I don't exactly know how FEGLI works, do we have a record that we paid his

premiums to Insurance company ABC all those years, but just failed to collect his portion of those payments?);

- o how and when the error occurred;
- o how and when was it discovered;
- o when and how the error corrected (e.g., error was corrected in SF50

Approval Date of July 1, 2020);

- o when the employee was notified; and
- o any actions by the employee or others to administratively address the

error;

· A statement of whether the employee should have known or could not have known of the error and why.

- o Were there any clues in the first couple of ELSs Mr. Swenson got from

DFAS?

o Was he given new employee instructions that showed how FEGLI deductions would be identified on an ELS? Or how much his would be?

o Are there any other records that would have flagged for him there was something wrong with his FEGLI (e.g., open season notifications specifically to him that said he didn't have FEGLI & to get it he should do XYZ (I am groping here)).

The issue is, unlike some of the others where their FEGLI erroneously changed & they should have noticed the change, he didn't have anything to compare his ELS to & why should he have known something was missing know that the absence of something was a problem.

Plus we will need any :

· Any documentation (e.g., FEGLI forms, SF50s, e-mails, ELSs, memos, notes from phone calls) related to the error and to the correction. Since we have documents already, if you chose you may verify that the information in the package is reliable and provide any missing items; and

· Contact information for anyone that was involved in and familiar with the events (e.g., Regional HR staff, employee's supervisors).

11/1/19 WFC responds the employee is working on it.

10/31/19 ask WFC if they have heard from employee.

10/18/19 WFC forwards whole email to employee telling him he needs to get records from DFAS. Employee responds he has made request to DFAS.

10/18/19 Asked WFC again. Due date now October 25th.

9/27/19 asked WFC to ask his HR Shared Service Center to provide the following information by October 15th:

- Whether it is true that EPA never processed Mr. Swenson's 1987 FEGLI

elections (effective July 5, 1987).

- Whether it is true that EPA administrative error is the reason why the FEGLI deductions were not taken from his pay.
- A list of the all the pay periods when no FEGLI deductions were taken (e.g., Pay Period 01 of 1987 through Pay Period 12 of 2018).
- An explanation of why, if EPA failed to take FEGLI deductions from 1987 until 2019, the bill he received is only for overpayments resulting from the failure to take FEGLI deductions from 201711 through 201909.
- Will he be getting another bill for overpayments from 1987 through 201710?
- When did Mr. Swenson retire?
- All SF50s issued to Mr. Swenson since January 1, 2016.
- All ELSs issued to Mr. Swenson from Pay Period 01 of 2016 to the present.
- All of Mr. Swenson's FEGLI forms, except the 1987 one which was included in the debt package.
- All correspondence/communication the HR SSC has had with Mr. Swenson or his former office(s) about his FEGLI deductions.

8/28/19 asked Jessica to ask the relevant HR SSC to confirm via email what Mr. Swenson says he was told by HR -- that an EPA administrative error is the reason why the FEGLI deductions he selected in 1987 were not taken between 201711 and 201909.

Also, he says his election was made in 1987 but he was told it was never processed. The bill he is asking for a waiver on is only for the past couple of years. Please ask HR if that is accurate & if it is are they going to process any more changes that will result more bills going back to 1987?

7/17/19 After discussion with Jessica Brown (WFC), asked WFC to get copies of some LESs & SF50s issued before and during time of overpayment. Asked Robin Koch at IBC whether deductions for options A&C had been made until PP11 of 2017. Unclear if EPA should have been deducting it back to 1987 or some spontaneous error occurred in 2017 that stopped collection, but he nonetheless continued to receive the benefits of FEGLI options A&C.

In 1987, Mr. Swenson elected options A&C of FEGLI. IBC issued a bill for salary overpayment from PP 11 of 2017 until PP 09 of 2019 because EPA did not take deductions for those options from his pay check.

Type

Federal Employee Group Live Insurance (FEGLI)

Attachments

